

ORDINANCE NO. 2786 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE, CHAPTER 28, ARTICLE VI, TABLE 1 ENTITLED, "SCHEDULE OF COMMUNITY DEVELOPMENT IMPACT FEES"; AMENDING SECTIONS 28-127, 28-129, AND 28-130 CORRECTING THE REFERENCE TO TABLE 1; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Senate Bill 1525 was signed into law by Governor Brewer on April 26, 2011 and this new law prohibits municipalities from collecting development impact fees in the general government, sanitation, and landfill categories starting on December 31, 2011.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code, Chapter 28, Article VI, Table 1 entitled, "Schedule of Community Development Impact Fees" is hereby deleted in its entirety and a new Table 1 shall read as follows:

[See Table 1 attached hereto and  
incorporated herein by this reference.]

SECTION 2. That Glendale City Code, Chapter 28, Article VI, Sec. 28-127 is hereby amended to delete any reference to Table 2. The changes shall read as follows:

**Sec. 28-127. Assessment of development impact fees.**

(a) There is hereby assessed, and shall be collected by the community development group, for the purpose of defraying the cost of providing necessary public services to new development, development impact fees upon every person hereinafter constructing any residential dwelling unit or any non-residential development with the city, in the amounts specified in Table 1 below. Uses which fall outside the land use categories designated ~~on~~ in Table 1, including governmental facilities constructed by other governmental entities within the city and public schools, but which land uses will receive water or sewer services from the city, shall pay the water or sewer development fees for such service, based on the size of the water meter, as designated in Table 2~~1~~. Mixed use developments shall have each component land use categorized under the applicable designation in Tables 1 ~~or~~ 2. For purposes of assessment of the development fees specified in Table 1 ~~and Table 2~~, the categories of land uses shall be applied as follows, consistent with the same or similar land uses defined or referred to in the general plan and zoning ordinance:

...

[Additions are indicated by underline; deletions by ~~strikeout~~.]

(d) A person who disputes the initial determination of the proper classification(s) of the development under the designations in Tables 1 ~~or 2~~, or who disputes the amount of the impact fee attributable to the demand on city services caused by the development, may apply within fifteen (15) days to the planning director for a formal determination of the nature of the development or demand for city services caused by the development for purposes of assessment of development impact fees. Any application for a formal determination of the amount of the impact fee assessed must be accompanied by a report prepared by a professional engineer registered in the State of Arizona demonstrating the basis for a reduced assessment. No formal determination by the planning director will be made nor any appeal processed without a report prepared by a professional engineer in the State of Arizona. The determination shall be made by the planning director within ten (10) working days, in substantially the same manner as determinations of permitted uses are made under the zoning ordinance. The planning director's decision is appealable to the board of adjustment in accordance with the procedures set forth in section 3.700 of the zoning ordinance.

(e) The amount of the development impact fees specified in Tables 1 ~~and 2~~ shall be periodically reviewed and may be amended from time to time by council to ensure that the development fees continue to bear a reasonable relationship to the cost to the city of providing the additional public services to the new development and that the developer receives credit for tax revenues contributing to the cost of the same facilities, as required by A.R.S. section 9-463.05.

**Sec. 28-129. Accounting and use of funds.**

All funds collected by the city pursuant to this article shall be deposited into separate accounts for each development impact fee category listed in Tables-1 ~~and 2~~, which accounts shall be non-lapsing funds and such funds are hereby created. All funds deposited in the several non-lapsing development impact fee funds shall be used exclusively to provide the necessary public facilities and services to development and for the retirement of related debt service, for which each such fund is designated.

**Sec. 28-130. Construction of public facilities in lieu of development fee; waiver of development fees.**

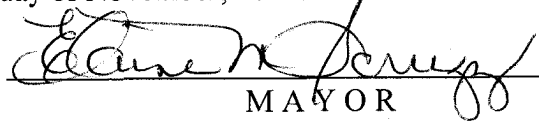
(a) In the event that a person proposes to construct, in connection with his or her development improvements, public facilities identified in the development impact study as part of the calculation of any development impact fee or portion thereof which is assessed in Tables 1 ~~or 2~~ and to dedicate the public improvements and any necessary land or right-of-way to the city, the city council may accept the dedication of such improvements and land or right-of-way in lieu of the related development impact fee or portion thereof.

...

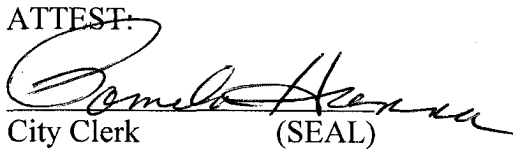
[Additions are indicated by underline; deletions by ~~strikeout~~.]

SECTION 3. That the provisions of this ordinance shall become effective on and after December 31, 2011.

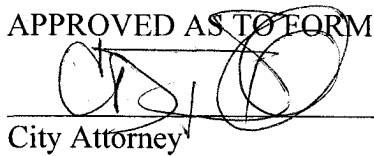
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 22nd day of November, 2011.

  
MAYOR

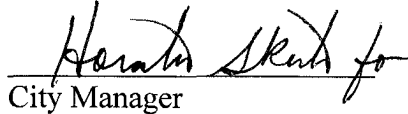
ATTEST:

  
City Clerk (SEAL)

APPROVED AS TO FORM:

  
City Attorney

REVIEWED BY:

  
City Manager

**TABLE 1: SCHEDULE OF COMMUNITY DEVELOPMENT IMPACT FEES**

<u>Residential (per unit)</u>	<u>Parks and</u>		<u>Roadway</u>	<u>Water</u>	<u>Sewer</u>	<u>TOTAL</u>
	<u>Library</u>	<u>Recreation</u>				
Single Family	\$398	\$625	Police \$252 Fire \$317 Improvements \$694	System	System	\$2,286
Townhouse	\$299	\$470	Police \$190 Fire \$238 Improvements \$353			\$1,550
All Other Residential	\$314	\$492	Police \$199 Fire \$250 Improvements \$408			\$1,663
<b><u>Nonresidential (per 1,000 square feet)</u></b>						
Com/Shop Ctr 50,000 SF or less			Police \$395 Fire \$258 Improvements \$2,803			\$3,456
Com/Shop Ctr 50,001-100,000 SF			Police \$348 Fire \$225 Improvements \$2,471			\$3,044
Com/Shop Ctr 100,001-200,000 SF			Police \$304 Fire \$200 Improvements \$2,156			\$2,660
Com/Shop Ctr over 200,000 SF			Police \$262 Fire \$180 Improvements \$1,863			\$2,305
Office/Inst 25,000 SF or less			Police \$409 Fire \$374 Improvements \$2,906			\$3,689
Office/Inst 25,001-50,000 SF			Police \$259 Fire \$353 Improvements \$1,837			\$2,449
Office/Inst 50,001-100,000 SF			Police \$183 Fire \$333 Improvements \$1,300			\$1,816
Office/Inst over 100,000 SF			Police \$146 Fire \$302 Improvements \$1,034			\$1,482
Business Park			Police \$124 Fire \$285 Improvements \$878			\$1,287
Light Industrial			Police \$104 Fire \$208 Improvements \$735			\$1,047
Manufacturing			Police \$72 Fire \$161 Improvements \$510			\$743
Warehousing			Police \$58 Fire \$115 Improvements \$415			\$588
<b><u>Meter Size (inches)</u></b>						
0.75				\$3,420	\$480	\$3,900
1.00				\$5,820	\$820	\$6,640
1.50				\$11,290	\$1,590	\$12,880
2.00				\$18,130	\$2,550	\$20,680
3.00				\$37,630	\$5,290	\$42,920
4.00				\$58,160	\$8,170	\$66,330
6.00				\$113,930	\$16,000	\$129,930
8.00				\$171,070	\$24,030	\$195,100